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Materials for a Course on Rights

Fall 2006

Hamish Stewart

These materials were prepared solely for the use of student in the Faculty of Law, University of Toronto

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Syllabus and Table of Contents

Approaches to Rights

September 7 — no readings

September 14
Amartya Sen, excerpts from "Rights and Agency" 1

September 21
Matthew Kramer, excerpts from "Rights Without Trimmings" 21-29

September 28
Matthew Kramer, further excerpts from "Rights Without Trimmings" 29-50

October 5 — no class (OCIs)

October 12
Nigel Simmonds, excerpts from "Rights at the Cutting Edge" 51

Some Specific Rights

October 19: Rights in Tort Law
Steven Shavell, excerpts from *Economic Analysis of Accident Law* 71
Arthur Ripstein, "Philosophy of Tort Law" 88

October 26: The Right to Freedom of Religion
John Locke, "A Letter Concerning Toleration" 119
Syndicat Northcrest v. Amselem 149

November 2: The Right to Freedom of Expression
R. v. Butler 185
Ronald Dworkin, "Why Must Speech Be Free?" 210
David Dyzenhaus, "Pornography and Public Reason".....220

November 9 — no class (Reading Week)

Dworkin

Ronald Dworkin, excerpts from *Taking Rights Seriously*, paperback ed. (Cambridge, Mass.: Harvard University Press, 1978).

November 16
"Hard Cases" (pp. 81-130)

November 23
"Taking Rights Seriously" (pp. 184-205) and "What Rights Do We Have?" (pp. 266-278).

[Optional reading: Joseph Raz, "Professor Dworkin's Theory of Rights" (1978) 26 Political Studies 123; Dworkin, pp. 364-8 (reply to Raz).]

Raz

Joseph Raz, excerpts from *The Morality of Freedom* (Oxford: Clarendon Press, 1986).

November 30
"The Nature of Rights" 241
"Liberty and Rights" 255